

Charter
for the
Nonroad Work Group
of the
Mobile Sources Technical Review Subcommittee

Introduction: This proposed charter describes the initial operating plan and possible longer-term efforts for a specialized team within the Mobile Sources Technical Subcommittee (MSTRS) to be known as the Nonroad Work Group. The likelihood for the need of such a work group was expressed at a meeting of the MSTRS in July, 2000. A conference call of interested parties on August 23 identified some appropriate areas that would be both within the purview of the MSTRS and its parent, the Clean Air Act Advisory Committee, and consistent with the guidelines of the Federal Advisory Committee Act.

For example, Glenn Passavant (EPA) noted EPA's plans for several nonroad regulations to be proposed in 2001. The four nonroad actions involve recreational vehicles, large spark-ignition engines, recreational marine engines, and additional marine engine standards. Another more immediate area to be addressed by the proposed group could be nonroad diesel engines and fuels with an objective of presenting the MSTRS with recommendations at the January 2001 meeting.

In addition, a work group with the appropriate range of experts within its membership could be very effective in identifying, exploring and consolidating a wide range of topics such as the 202(l) toxics rule which also touches on nonroad issues. Although EPA plans to contact affected industries, an established forum such as an MSTRS work group could allow more timely involvement and a consensus in recommendations.

In proposing such a work group, it was recognized that consideration must be given to avoiding overlap with the mandatory public comment process. The conferees felt that a precise definition of work group's role would prevent any significant duplication.

There seemed to be agreement that the work group should initially undertake major national domestic policy issues such as emission standards, fuel sulfur limits and the schedule for implementation. Ultimately, harmonization among all regulatory bodies including individual states, Europe, and other countries could be addressed.

By the close of the meeting on August 23, it was agreed that the formation of a Nonroad Work Group was a reasonable idea and that a proposal should be made to the MSTRS at its next quarterly meeting on October 11. The following paragraphs contain the specifics on its purpose, composition, objectives, timing, etc.

Purpose: The purpose of the Nonroad Work Group will be to provide the MSTRS with timely and well-considered information, data, analysis and recommendations on a range of topics related to emissions from nonroad sources and related factors such as fuels and usage. Eventually, the outcome of the process should be helpful to the Agency in its formulation of actions to regulate nonroad mobile sources and motor fuels as they relate to air pollution.

Proposal for the formation of a Nonroad Work Group within the MSTRS

Membership: Membership on the work group will be open to all interested parties and individuals but efforts will be made to ensure proper representation of the directly-regulated community, i.e., the petroleum industry and engine manufacturers, and other stakeholders such as the agriculture/mining/construction industries, academia, the environmental community, state/local government and other experts. Well-placed technical personnel will be especially needed. Two co-chairs are customary for MSTRS workgroups, one from a cognizant area within EPA and the other from an appropriate outside stakeholder. A few members that are also on other MSTRS work groups, such as Air Toxics, would be desirable. Selection of co-chairs will be one of the first tasks undertaken by the new group.

Conduct: Most of the decision-making is expected to be performed in periodic conference calls or face-to-face meetings but off-line efforts by individuals or subgroups will also be required to gather and process data that will be presented to the larger group. Some field trips to refineries, testing laboratories, manufacturing facilities or conferences may be appropriate.

Products: The outputs of the work group will be written findings, analyses and recommendations. They will be presented to the Subcommittee in a form that can be approved and passed on to the Clean Air Act Advisory Committee for ultimate submittal to the Agency. For such outputs, a consensus is expected but minority opinions are not to be ignored and should be part of the final package. Probably the first technical effort to be undertaken by the new work group will be recommendations on nonroad diesel engines and fuels. These positions and supporting documentation would be presented to the Subcommittee at its quarterly meeting scheduled for January 17, 2001.

Timing: Once formally approved by the MSTRS, the work group can begin immediately with the core participants involved thus far. Notices of the formation of the group and its purpose can be publicized widely and rapidly through the MSTRS website and listserver as well as by word of mouth. Initially, a conference call can be set up and conducted in late October. The purpose of that meeting would be to work out the details of this charter, establish some short-term goals and agree upon a timeline for major tasks. It is expected that several conference calls and a face-to-face meeting on January 16 (the day preceding the next MSTRS meeting) would be appropriate.

Resources: As a part of the MSTRS structure which currently contains several active work groups, this new group would be fully supported by the EPA staff for coordination and the contracted staff for note-taking, specialized analyses and meeting space expenses. Certain members of the work group, primarily members from non-profit organizations, may also qualify for assistance with travel costs.

Vision: Within the two years before the CAAAC's next sunset date, the Agency will be promulgating regulations and developing other policies and strategies that clearly reflect the recommendations of the CAAAC that have come through the efforts of the MSTRS and its Nonroad Work Group.